

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SAM-01

SAJ-01 IO-13 ACDA-07 TRSE-00 /081 W

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P R 290843Z NOV 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 3622

INFO USMISSION USBERLIN

AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 20032

E.O. 11652: GDS

TAGS: PFOR PGOV GW US UK FR GW

SUBJECT: BONN GROUP PAPER ON STATUS OF BERLIN

REFS: (A) STATE 287563; (B) BONN 19516;

(C) BONN 19515; (D) BONN 17520

BEGIN SUMMARY. AT BRITISH REQUEST, THE BONN GROUP HAS MADE TWO ADDITIONAL CHANGES TO THE TEXT OF THE BRIEFING PAPER ON THE STATUS OF BERLIN. THE DEPARTMENT'S APPROVAL IS REQUESTED. END SUMMARY.

1. THE UK BONN GROUP REP ON NOVEMBER 26 REQUESTED, ON INSTRUCTIONS, TWO CHANGES TO THE TEXT OF THE BONN GROUP BRIEFING PAPER AS TRANSMITTED IN REFTEL (C). AD REF AGREEMENT WAS REACHED ON THE FOLLOWING TWO CHANGES:

A. SECTION I, SECOND PARAGRAPH: CHANGE THE LAST SENTENCE OF THE PARAGRAPH TO READ AS FOLLOWS:

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"THE RIGHTS OF EACH POWER DO NOT DEPEND IN ANY RESPECT UPON THE SUFFERANCE OR ACQUIESCENCE OF THE OTHERS BUT EXIST INDEPENDENTLY; THEY UNDERLIE THE SERIES OF AGREEMENTS WHICH SPECIFY THE AREAS IN WHICH AND THE METHODS BY WHICH THOSE RIGHTS ARE TO BE EXERCISED."

B. ANNEX, SECTION 2, THIRD PARAGRAPH: CHANGE THE FIRST SENTENCE TO READ AS FOLLOWS:

"IN FURTHERANCE OF THIS OBJECTIVE, THE FEDERAL REPUBLIC OF GERMANY HAS PROPOSED AT VARIOUS TIMES SINCE 1952 THAT A PARTICULAR FEDERAL AGENCY OR INSTITUTION BE LOCATED IN THE WESTERN SECTORS OF BERLIN."

2. COMMENT: THE REASON FOR THE SECOND CHANGE WAS BASICALLY STYLISTIC AND REQUIRES NO FURTHER EXPLANATION. THE FIRST CHANGE IS MORE SUBSTANTIVE.

3. AS ORIGINALLY DRAFTED BY THE US REP AND ACCEPTED IN THE FIRST AD REF TEXT (REFTEL D), THE SENTENCE IN QUESTION IN SECTION I READ AS FOLLOWS:

"THE RIGHTS OF EACH POWER THUS EXIST INDEPENDENTLY AND UNDERLIE THE SERIES OF AGREEMENTS WHICH SPECIFY THE AREAS IN WHICH AND THE METHODS BY WHICH THOSE RIGHTS ARE TO BE EXERCISED."

THE SENTENCE WAS A DIRECT QUOTE FROM THE DEPARTMENT OF STATE WHITE PAPER ON BERLIN ISSUED DECEMBER 20, 1958 ("DOCUMENTS ON GERMANY, 1944-1970," PP.368 FF., AT P. 374). IN ITS ORIGINAL COMMENTS ON THE BONN GROUP DRAFT, THE FCO HAD REQUESTED A CHANGE IN THAT

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INFO USMISSION USBERLIN

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 20032

SENTENCE TO SUGGEST THAT THE RIGHTS WERE JOINT RATHER THAN INDIVIDUAL. THE BONN GROUP DID NOT FULLY ACCEPT THAT REQUEST BUT MODIFIED THE SENTENCE TO READ AS IT APPEARS IN REFTEL (C).

4. THAT CHANGE WAS STILL NOT ACCEPTABLE TO THE FCO AND THE QUESTION WAS THUS REOPENED ON NOVEMBER 26 BY THE UK REP, WHO SAID THE FCO QUESTIONED THE FACTUAL ACCURACY OF THE STATEMENT. THE US REP POINTED OUT THE ORIGIN OF THE STATEMENT AND EXPLAINED THAT IT REPRESENTED THE LONG-HELD LEGAL POSITION OF THE UNITED STATES, WHICH HE THOUGH WAS SHARED BY THE OTHER THREE BONN GROUP GOVERNMENTS AS WELL. THE US REP SAID IT HAD PROBABLY BEEN A MISTAKE TO AGREE TO REWORD THE SENTENCE IN THE FIRST PLACE, AND HE EXPRESSED A STRONG PREFERENCE FOR RETURNING TO THE ORIGINAL DRAFT.

5. THE UK REP ACCEPTED THE POINT AND AGREED
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TO GO BACK TO LONDON ON IT ONCE MORE. HE THOUGHT, HOWEVER, THAT THE MEANING OF THE WORD "INDEPENDENTLY" WOULD NOT BE FULLY UNDERSTOOD BY POTENTIAL RECIPIENTS OF THE BRIEFING PAPER, AS THE SENTENCE IN THE BONN GROUP DRAFT WAS USED IN A SLIGHTLY DIFFERENT CONTEXT FROM THAT IN THE ORIGINAL 1958 WHITE PAPER. IN PARTICULAR, IT WAS NOT CLEAR WHETHER IT MEANT THAT ALLIED RIGHTS EXISTED INDEPENDENTLY OF THE SOVIET UNION, OR INDEPENDENTLY OF ANY TREATY. DRAWING FROM THE CONTEXT IN WHICH THE STATEMENT WAS USED IN THE 1958 WHITE PAPER, THE BONN GROUP THUS AGREED EVENTUALLY TO THE MODIFICATION

OF THE SENTENCE TO READ AS SHOWN IN PARA 1.A. ABOVE.

6. ACTION REQUESTED: DEPARTMENT'S CONCURRENCE IN THE
TWO CHANGES LISTED IN PARA ONE ABOVE.
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Message Attributes

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Decaption Date: 01 JAN 1960
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Disposition Approved on Date:
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